

देश्यत्व प्रमाणपत्र (Nativity
Certificate) देण्याबाबत

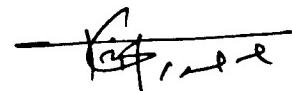
महाराष्ट्र शासन,
शासन परिपत्रक क्रमांक एमआयएस-०९१०/प्र.क्र.१०२५/विदेशी-१,
गृह विभाग, मंत्रालय, मुंबई ४०० ०३२.
दिनांक - १० जानेवारी, २०१२.

परिपत्रक :

जे भारतीय वंशाचे लोक परदेशात रहातात त्यांना Overseas Citizenship of India (OCI) खाली जी नोंदणी Indian Missions / Post Abroad व गृह मंत्रालय येथे करावी लागते. या नोंदणीसाठी सदरहू व्यक्ती भारतीय वंशाची आहेत असे स्पष्ट व्हावे म्हणून देश्यत्व प्रमाणपत्र (Nativity Certificate) जिल्हाधिकारी/दंडाधिकारी यांनी द्यावे अशाप्रकारच्या सूचना सचिव, प्रवासी भारतीय कार्य मंत्रालय, भारत सरकार यांनी मुख्य सचिव, गुजरात राज्य यांना लिहिलेले अर्धशासकीय पत्र क्रमांक OI-15013/02/2010-DS, दिनांक २१.५.२०१० व अपर मुख्य सचिव, गृह विभाग, महाराष्ट्र राज्य यांना अग्रेषित केलेल्या पत्रामध्ये केलेल्या आहेत. तसेच, देश्यत्व प्रमाणपत्र मिळण्याकरीता जो अर्जाचा नमुना सादर करावयाचा आहे त्याची प्रत पाठविली आहे. सदर पत्राची प्रत त्यासोबतच्या सहपत्रासह सोबत जोडली आहे. या सूचनेस अनुसरून देश्यत्व प्रमाणपत्र देण्याची कार्यवाही करावी.

हे परिपत्रक महाराष्ट्र शासनाच्या www.maharashtra.gov.in या वेबसाईटवर उपलब्ध करून देण्यात आले असून त्याचा संगणक सांकेतांक क्रमांक २०९२०१११०३८९६११६००९ असा आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,



(शिवाजी पाटणकर)
शासनाचे उप सचिव

प्रत,

मा.राज्यपालांचे सचिव,
मा.मुख्यमंत्रांचे प्रधान सचिव,
मा.उपमुख्यमंत्रांचे सचिव,
मा.मुख्य सचिव, महाराष्ट्र शासन,
सर्व अपर मुख्य सचिव / प्रधान सचिव / सचिव, मंत्रालयीन विभाग
सर्व मंत्रालयीन विभाग,
सर्व विभागीय आयुक्त,
सर्व जिल्हाधिकारी,
सर्व पोलीस आयुक्त,
सर्व पोलीस अधीक्षक,



डॉ. ए. दिदार सिंह
सचिव

Dr. A. Didar Singh
Secretary

2

D.O. No. OI-15013/02/2010-DS

May 21, 2010

Please refer to letter No. CTC(OCI)/10/2010/F.II (received here on 12.05.2010) from Shri D.J. Shah, Under Secretary, in response to my D.O. letter of even number dated 05.04.2010. The clarifications sought by the Home Department are provided below, ad-seriatim:-

1.

'Nativity Certificate' is essentially in the nature of a 'Domicile Certificate and is designed to establishing the Indian-origin of a PIO-resident abroad. The 'Nativity Certificate' would be accepted by Indian Missions/Posts abroad and the Ministry of Home Affairs, as adequate primary documentary proof, in support of an application by a PIO for registration as an OCI. As stated at para 1(i) of my D.O. letter of even number, dated 05.4.2010, this 'Nativity Certificate' is required to be issued by the State Government, under the signatures of an officer not below the rank of a District Collector/Magistrate.
 2.

As explained above, the 'Nativity Certificate' could be adduced by a PIO, as primary evidence in support of his application to a Indian Mission/Post abroad or MHA for registration as an OCI. Your attention is drawn to sub-paras (ii) & (iii) of para 1 of my D.O. letter ibid which casts certain obligations on the State Government, before proceeding to issue a 'Nativity Certificate'.

These include the institution of an appropriate mechanism in place to verify and establish the Indian nativity of an applicant with a view to ensure that he indeed meets the requirements prescribed in Section 7 A of the Citizenship Act for registration as an OCI.

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95th-15

Received Today

~~OK~~

3. It is presumed that PIO-applicant seeking 'Nativity Certificate' is doing so because he does not have any valid documentary proof, to be adduced as primary evidence, in support of his application for registration as an OCI. His application for issue of a registration as an OCI, duly supported by the 'Nativity Certificate' obtained by him for the purpose, would ordinarily be accepted, where upon he would be so registered, if found eligible, and issued a OCI Registration Card. The 'Nativity Certificate' is not expected to be used for any other purpose.
 4. While no time limit has been prescribed, there should not be an inordinate delays in the issue of the document, provoking the PIO-applicant to lodge complaint with this Ministry or some other authority. A three-month period, from the date of receipt of an application by the State Government for issue of a 'Nativity Certificate' could be accepted as reasonable.
 5. It is confirmed that if a PIO-applicant is a citizen of Pakistan or Bangladesh or has ever held the nationality of either of these two countries, he would not be entitled to be issued a 'Nativity Certificate'.
2. A copy of this reply is being endorsed to all other State Governments for their information and guidance.

With regards,

Yours sincerely,

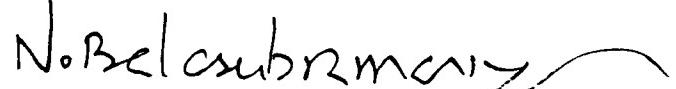


(Dr. A. Didar Singh)

Shri Achal Kumar Jyoti
Chief Secretary
Govt. of Gujarat
New Sachivalaya
Gandhinagar-382 010

Copy to:

1. Principal Secretary (Home) of State Governments (as per list)
(with copy of clarifications soughts by Govt. of Gujarat)
2. JS (CPV), MEA.
3. JS(Foreigners), MHA



(N. Balasubramaniyan)
Director (DS-B)
Tel : 24197910

Immediate

No. CTZ(OCI)10/2010/F.II

Government of Gujarat

Home Department

Sachivalaya Gandhinagar

Date :

To

Dr. A. Didar Singh,
Secretary to the Government of India,
Ministry of Overseas Indian Affairs,
Akbar Bhavan, Chanakyapuri,
New Delhi - 110 021.

Subject: Overseas Citizenship of India (OCI) Scheme.

Sir

I am directed to refer to your D.O. letter No. OI-15013/2/2010/DS dated the 5th April 2010 addressed to our Chief Secretary ~~on the subject cited above and to request you to clarify the following points with reference to nativity certificate.~~

1. What is meant by nativity certificate? Can it be treated as domicile/nationality/Citizenship Certificate? As known, nationality/Citizenship Certificates are issued by Government of India only and domicile certificates are issued at Taluka/Tehsil level by Revenue officers. This nativity certificate is to be issued at Collector level at all districts. State Government has not to issue the same? This may please be confirmed.
2. What is the use of nativity certificate and whether it should be issued straightaway on receipt of application for the same after due verification at field level.
3. If this is issued, is it necessary for the applicant to register himself/herself as OCI or to obtain OCI card from authority concerned?
4. It is presumed, no time limit for issue of nativity certificate is fixed. This may be confirmed.
5. This is not applicable to Pak and Bangladesh nationals as OCI scheme is not applicable to them. This may be confirmed.

The guidance/clarification on above points may please be issued at the earliest so that there is no scope of misunderstanding in implementation of the scheme.

Yours faithfully



(D.J. SHAH)

Under Secretary to the Government of Gujarat
Home Department.

Copy to:

The Under Secretary to the Government of India,
Ministry of Home Affairs, Foreigners Division,
Jaisalmer House, 26, Mansingh Road
New Delhi - 110 011.

For information and necessary action please.

List of Principal Secretaries

Sl. No.	Name & Address
1.	Shri P. Gautam Principal Secretary (Home) Andhra Pradesh Secretariat Hyderabad-500 0022
2.	Shri Amir Sudhani Principal Secretary (Home) Government of Bihar Old Secretariat, Patna-800015
3.	Mr. G.S. Patnaik Principal Secretary (Home) Government of NCT of Delhi I.P. Estate, New Delhi-110002
4.	Shri Rajiv Verma Special Secretary (Home) Government of Goa Secretariat Porvorim Panaji
5.	Shri Balwant Singh Principal Secretary (Home) Government of Gujarat Sachivalaya Gandhi Nagar-382010
6.	Shri Krishan Mohan Principal Secretary (Home) Government of Punjab, Secretariat, Chandigarh
7.	Shri K.M. Shiva Kumar Principal Secretary Government of Karnataka Vikas Soudha Bangalore – 560001
8.	Dr. K. Jay Kumar Additional Chief Secretary (Home) Government of Kerala, Secretariat, Thiruvananthapuram – 695001
9.	Dr. Rajan S. Katoch Principal Secretary (Home) Government of Madhya Pradesh Mantralaya, Vallabh Bhavan Bhopal
10.	Mrs. Chandra Ayaingar Additional Chief Secretary (Home) Government of Maharashtra Mantralaya Mumbai – 400023

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SECRETARY MOIA

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K.A. Shri Kamde

डॉ. ए. दिदार सिंह
सचिव
Dr. A. Didar Singh
Secretary

D.O.No.OI-15013/2/2010 -DS

प्रधासी भारतीय कार्य मंत्रालय
भारत सरकार
अकबर भवन, चाणक्यपुरी
नई दिल्ली - 110 021
Ministry of Overseas Indian Affairs
Government of India
Akbar Bhawan, Chanakyapuri
New Delhi - 110 021
Tel. : 24674143 & 44 • Fax : 24674140
e-mail : secretary@moia.nic.in

April 5, 2010

Dear Shri Dange,

Subject: Overseas Citizenship of India (OCI) Scheme

Kindly refer to my letter of even number dated 10th March, 2010 regarding the issue of Nativity Certificates to eligible applicants, who desire to be registered as Overseas Citizens of India (OCIs). The Ministry of Home Affairs was consulted on the matter. The following may kindly be noted for issuance of Nativity Certificate :

- (i) The Nativity Certificate should be issued by an Officer not below the rank of District Collector/District Magistrate.
- (ii) The State Government must ensure the eligibility criteria for the purpose of registration as Overseas Citizen of India, is fulfilled. The relevant extracts from Citizenship Act, 1955 dealing with the OCI, are enclosed for ready reference.
- (iii) A suitable mechanism of verification to establish Indian nativity of OCI applicant, both at Village/Tehsil/District Level, as also at urban level, may be evolved.
- (iv) A revised application form for issuance of Nativity Certificate is enclosed.

2. I shall be grateful if the receipt of this letter is acknowledged and our Ministry intimated of the action taken in this regard.

With regards,

Yours sincerely,

(Dr. A. Didar Singh)

Shri J.P. Dange
Chief Secretary
Government of Maharashtra
Mantralaya,
Mumbai-400032

Enc: As above

१५.११.२०११
रामेश्वर
मुख्यमंत्री
गवर्नर बँगलूरु

PHOTOGRAPH

APPLICATION FOR NATIVITY CERTIFICATE

1. Name of applicant :
2. Date of Birth :
3. Place of Birth
4. Father's name :
5. Mother's name :
6. Present Nationality :
7. Present Address including Telephone No.,
Mobile No., Fax No. and Email ID
8. Passport Particulars:
 - (i) Passport Number
 - (ii) Place of issue
 - (iii) Date of issue
 - (iv) Valid till
9. Details of Parents /Grand parents/
Great-grand parents
who were born and lived in India
 - (a) Name :
 - (b) Date of Birth/Year of birth :
 - (c) Address :

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- (d) Police Station of the area where resident :
- (e) Year when emigrated from India :
- (f) Details of travel document held at the time of emigration :
10. Details of ancestral properties (if any), Bank Accounts held, School/College/educational institution where such ancestor studied, or any other information, including the name of relatives who could vouch for the veracity of the statements made above, along with documentary evidence, if available (including copies of post cards, letters, etc. with postal stamps/stampings at the Post office of dispatch, etc.)
11. Name of the ship/vessel and the year/month in which ancestor emigrated.

(Signature of the Applicant)

VERIFICATION

I, _____, son of _____ (Name of father) _____ born on _____
 (DOB) _____ at _____ (Place of Birth) _____ and
 holding _____ (Nationality) _____ Passport No. _____ issued at _____
 (Place of Issue) _____ on _____ (Date of Issue) _____ and valid till _____
 (Date of expiry) _____ do hereby solemnly affirm and declare that the particulars given above are true and correct to the best of my knowledge and belief.

(Signature of the Applicant)